

REMARKS AND ARGUMENTS

Claim Amendments

Claims 1-43 are presently in the case. Claim 5, 16-21, 26, and 29-43 are cancelled. Claims 1, 4, 6, 7, 8, 9, 11 and 13 are amended. Claims 24, 25, 27 and 28 are withdrawn. New Claims 44-67 have been added.

Claim 1 is amended to make minor corrections in wording.

Claim 4 is amended to delete the phrase “wherein the lock has a rest configuration”, since the other limitations in the claim do not describe the lock in its reset configuration, as provided in para. [0162].

Claim 6 is amended to add that the change members are moveable from the first position and second position solely in response to inserting of the second key into the first passage, and rotation of the plug by operation of the second key, and to provide that the second passage intersects a portion of the second position in the plug. Support is found at paragraph 0123 and 0140.

Claim 7 is amended to provide for at least two change members and at least three user keys; to provide that the two change members are moveable to their second positions solely in response to insertion of one of the second (or third) user key and rotation of the plug by the operable key; and to provide respective operation of the lock by the first, second and third keys depending upon the configuration of the change balls in their first or second positions. Support is found at paragraph 0139.

Claim 8 is amended to change dependency.

Claim 9 is amended to delete unnecessary limitations.

Claim 11 is amended to provide that the change member is movable to the second position only when the change tool is not in the second passage. Support is found at Fig. 11A and 11B and paragraph 0140.

Claim 13 is amended to provide the limitation of -- at least one contour position (that) compresses -- a plurality of contour locations, where the at least one contour position is comprised of -- raised contour locations and lowered contour locations --.

New Claims 44 through 54 all depend through to Claim 1. Support for the claims are found as follows: for Claim 44 at paragraph 0196; for Claim 45 at paragraph 0041 and in Figs. 12A and 12B; for Claim 46 at paragraph 0162; for Claim 47 at paragraph 0163; for Claim 48 at paragraph 0163 and Figs. 11A and 11B; for Claim 49 at paragraph 0162 through 0165 and in Figs. 11A, 11B,

17A and 19A; for Claim 50 at paragraph 0174; for Claim 51 at paragraph 0162, fourth sentence; for Claim 52 at paragraph 0162; for Claim 53 at paragraph 0158 and 0196; and for Claim 54 at paragraph 0159.

New Claims 55 through 59 all depend through to Claim 6. Support for the claims are found as follow: for Claim 55 at paragraph 0170; for Claim 56 at paragraph 0135; for Claim 57 at paragraph 0196; for Claim 58 at paragraph 0122; and for Claim 59 at paragraph 0122.

New independent Claim 60 is based generally on Claim 1. More precisely, new Claim 60 is essentially identically worded as Claim 1, with the following changes or omission:

- the terms “generally” in Claim 1 associated with the cylindrical bore, cylindrical drivers, cylindrical periphery and cylindrical tumbler chambers, have been deleted;
- the term “bore surface” in line 5 of Claim 1 is replaced with “inner surface” in Claim 60, to better state the antecedent basis;
- the element “longitudinal axis” of the plug in Claim 1, along with its later mentions, are removed in Claim 60;
- the limitation in Claim 1 of the keyway “intersecting the periphery and (being) parallel to the longitudinal axis” is removed in Claim 60;
- the limitation in Claim 1 of the tumbler chambers “being generally orthogonal to the longitudinal axis” is removed in Claim 60;
- the limitation in Claim 1 of the change tool slot being “configured parallel to the longitudinal axis, that extends from the front face of the plug” is removed in Claim 60; and
- the limitation in the last two lines of Claim 1 that the change balls be “moveable from the second position within “the retainer cavity” “upon insertion of” a change tool into the change slot, is alternatively described as the change balls being “displaced out of” the retainer cavity” by a change tool in the change slot.

New Claims 61 through 67 all depend through to Claim 60. Support for Claim 60 is found in Claim 1 and at paragraph 0141. Support for Claims 61-67 are found as follows: for Claim 61 at paragraph 0196; for Claims 62 at paragraph 0041 and in Figs. 12A and 12B; for Claim 63 at paragraphs 0162 through 0163 and in Figs 11A, 11B, 17A and 19A; for Claim 64 at paragraph 0162, fourth sentence; for Claim 65 at paragraph 0162; for Claim 66 at paragraphs 0158 and 0196; and for Claim 67 at paragraph 0159.

Restriction Requirement

Applicant confirms its prior election of Group I, Claims 1-4, 6-15, 22, 23, and 44-67. Claims 24, 25, 27 and 28 to Group II are withdrawn.

Remarks

The Examiner objected to the amendment to the specification made in the January 9, 2006 response. In compliance with the Examiner's instructions, Applicant respectfully requests entry of the presently present amendment to the description, to add an unnumbered new paragraph prior to paragraph [0001] to add the appropriate cross references.

The Examiner also objected to the claims listing presented in Applicant's June 21, 2005 response, which failed to denote deleted text with double brackets. Applicant sincerely regrets this mistake. Recognizing that certain amended claims have been subsequently withdrawn on Applicant's response on January 4, 2006, Applicant presents herein the claim amendments from June 21, 2005 for only those claims that remain (not for any of the withdrawn claims). That is, all claims are amended or withdrawn as they had existed prior to June 21, 2005

The Examiner also objects to the presentation of new Claim 60, for allegedly failing to clearly set forth the patentable novelty in accordance with 37 CFR 1.111(b) and (c). Applicant respectfully requests reconsideration in view of the comments below.

Applicant points out above the specific differences between new Claim 60 and present Claim 1. None of the textual differences between the claims is believed to be material to distinguish either of the claims from the prior art. The prior art that has been cited as relevant to Claim 1 are Monahan and Check. Specifically Claim 1 was rejected under 35 U.S.C. 103 over Monahan in view of Check. In the response, Applicant asserted that these references in combination do not anticipate Applicant's claimed invention (Claims 1-4). For the same reasons, the combination of Monahan over Check does not anticipate or make obvious Applicant's Claim 60. The combined lock of Monahan with the ball(s) of Check would require movement of so-called "master balls" between the pin chamber and the blind holes only with the use of a master key and an inserted complementary set blade that is associated with a selected differently-bitted change key. This combined Monahan/Check lock would only operate when the set blade remained within the alleged change slot, and that the "inactive" master balls would be disposed upon the set blade within the blind holes. To the contrary, Applicant's lock as claimed in new Claim 60 provides that the plurality of change balls/members are displaced out of the retainer cavities by the change tool in the change slot, to reconfigure the lock. Also, as in Claim 1, the lock of Claim 60 can be operated by any user key when the plug has been rotated to the programming position and the change tool is

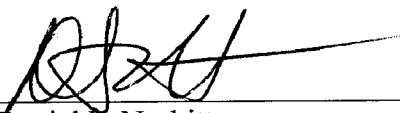
in the change slot, because none of the change members can be disposed in the second position. As mentioned above, to the contrary, the Monahan set blade must be in the "change slot" in order to operate the lock with a specific, associated user key.

In view of these remarks, Applicant contends that Claim 60 and the claims depending therefrom distinguish the prior art of record.

Applicant believes that the amendments and remarks made herein provide a full and complete response to the Office Action, and requests allowance of all claims.

Respectfully submitted,

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